

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-093245

12/08/2003

HON ROBERT H. OBERBILLIG

CLERK OF THE COURT  
M. Scott  
Deputy

IN RE THE MARRIAGE OF  
TARA SMITH

FILED: 12/17/2003

TARA SMITH  
1342 W. EMERALD AVE  
APT 279  
MESA AZ 85202

AND

TOD A SMITH

TOD A SMITH  
1350 OLD LULING RD  
LOCKHART TX 78644

DOCKET-FAMILY COURT-SE

MINUTE ENTRY  
**DECREE OF DISSOLUTION OF MARRIAGE**

1:35 p.m. This is the time set for Trial to the Court in this matter.

Petitioner/Mother, Tara Smith, is present on her own behalf.

Respondent/Husband, Tod A. Smith, appears telephonically with the Court utilizing the speakerphone.

A recording of the proceeding is made by videotape and CD in lieu of a Court Reporter.

The Court notes that the parties reached a Parenting Plan Agreement in Mediation on September 18, 2003.

**CHILD CUSTODY AND CHILD SUPPORT**

There are two minor children common to the parties; namely, Kaleigh Smith, born 5/24/1995 and Tod Smith, born 8/30/1996.

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The parties entered into a Parenting Plan for Joint Legal Custody on September 18, 2003.

The parties agree that child support shall continue at \$902 per month, payable through the Support Clearinghouse. Father is self-employed. Therefore, there is no Order of Assignment. The parties agree that there is no past-due child support due through November 2003.

IT IS ORDERED that the Parenting Plan signed on October 22, 2003 is affirmed and incorporated into the Decree of Dissolution of Marriage.

IT IS FURTHER ORDERED that Father shall be responsible to provide the medical and dental insurance coverage.

IT IS FURTHER ORDERED that any unpaid un-reimbursed medical and dental expenses incurred on behalf of the children shall be paid by the parties as follows: 70% by Father and 30% by Mother.

IT IS FURTHER ORDERED that Father is entitled to claim the minor children as dependents for income tax purposes in two out of every three years; for example, in 2003, Father shall claim the two children, in 2004, Father shall claim one child and Mother shall claim one child, in 2005, Father claims two children and in 2006, Mother shall again claim one child and Father claim one child, etc. thereafter.

Father's entitlement to claim the children is contingent upon his being current in the payment of child support by December 31<sup>st</sup> of each year. If Father is not current, then Mother is entitled to claim both children in that specific year

**DISTRIBUTION OF COMMUNITY PROPERTY AND ALLOCATION OF DEBTS**

IT IS ORDERED that each party shall keep the property now in their respective possession and control as their sole and separate property. The parties agree that there is no property remaining to be divided.

IT IS FURTHER ORDERED each party shall be responsible for the debts in their name as their sole and separate debts and agree to hold each other harmless thereon.

Neither party has requested spousal maintenance.

Wife does not desire to be restored to her former name.

THE COURT FINDS that at least one of the parties has been domiciled in the State of Arizona for at least 90 days prior to the filing of the petition for dissolution. The conciliation provisions of A.R.S. 25-381.09 have either been met or do not apply. That the marriage is

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irretrievably broken, Wife is not pregnant, this is not a covenant marriage and there is no reasonable prospect for reconciliation.

To the extent it has the jurisdiction to do so, the Court has considered, approved, and made provisions for child custody, child support, and property and debt distribution.

THE COURT FURTHER FINDS that all property and debt distribution contained herein result in a fair and equitable distribution of the community's assets and liabilities.

THE COURT FURTHER FINDS that all orders pertaining to the children are in the children's best interest.

**IT IS ORDERED** dissolving the marriage and restoring each party to the status of a single person.

1:45 p.m. Trial adjourns.

1:50 p.m. The Court is reconvened. Petitioner is present. Respondent appears telephonically.

Discussion is held regarding psychological evaluation of Mother and Father's drug testing.

IT IS ORDERED **vacating** any previous Order for drug testing.

The Court notes that Mother has voluntarily received evaluation from her psychologist. The psychologist notes that there are no concerns as to Mother's parenting ability.

IT IS ORDERED directing Father to take the Parent Information Program class within 90 days of today's date and file his certificate of completion with the Court.

The Court makes the necessary findings pursuant to Rule 58(d) Arizona Rules of Civil Procedure and signs this minute entry as the formal written Decree of Dissolution of Marriage.

1:55 p.m. Trial adjourns.

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Date

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JUDICIAL OFFICER OF THE SUPERIOR COURT